

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

JASON WIMBLE,
Plaintiff,

v.

STEVEN GOLD and
KATHLEEN LANMAN,
Defendants.

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File No. 1:04-CV-60

ORDER

The Magistrate Judge's Report and Recommendation was filed February 3, 2006. (Paper 25.) After de novo review and absent objection, the Report and Recommendation is AFFIRMED, APPROVED and ADOPTED. See 28 U.S.C. § 636(b)(1). The Defendants' motion for summary judgment (Paper 19) is GRANTED and the case is DISMISSED. The Defendants' motion to dismiss (Paper 24) is DENIED as moot.

It is further certified that any appeal taken in forma pauperis from this Order would not be taken in good faith because such an appeal would be frivolous. See 28 U.S.C. § 1915(a).

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 24th day of February, 2006.

/s/ J. Garvan Murtha
J. Garvan Murtha
United States District Judge